

ENTERED

March 17, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

**HOLLOWAY LODGING
(222 BENMAR) LLC and
HOLLOWAY LODGING
(16666 NORTHCHASE) LLC**

Plaintiffs,

VS.

CUSHMAN & WAKEFIELD U.S., INC.

Defendant.

1. **Вопрос:** Каким образом можно использовать данные о продажах для оптимизации маркетинговых стратегий?

Civil Case No. 4:22-CV-1745

ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

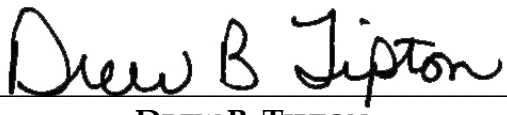
Pending before the Court is the March 1, 2022 Report and Recommendation (“R&R”) prepared by Magistrate Judge Peter Bray. (Dkt. No. 26). Magistrate Judge Bray made findings and conclusions and recommended that Defendants’ Motion to Dismiss (Dkt. No. 17) be granted in part. Judge Bray recommended that Plaintiffs’ negligent misrepresentation and omission claims be dismissed and that the breach of fiduciary duty and contract claims remain. (Dkt No. 26).

The Parties were provided proper notice and the opportunity to object to the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No objections were filed, so review is for plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error

appears. Accordingly, the Court **ACCEPTS** the R&R as the opinion of the Court. The court **GRANTS IN PART** the Motion to Dismiss.

It is SO ORDERED.

Signed on March 16, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE